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Counsel for the Reorganized Debtors

Counsel for the Reorganized Debtors

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

| | | |
|---------------------------------------------------|---|--------------------------------------|
| In re: |) | CASE NO. BK-09-14814-LBR |
| |) | (Jointly Administered) |
| THE RHODES COMPANIES, LLC, aka |) | |
| "Rhodes Homes," et al., |) | |
| |) | |
| Reorganized Debtors. ¹ |) | Chapter 11 |
| <hr/> | | |
| Affects: |) | |
| |) | Hearing Date: January 6, 2012 |
| <input checked="" type="checkbox"/> All Debtors |) | |
| <input type="checkbox"/> The Following Debtor(s): |) | Hearing Time: 9:30 a.m. |

NOTICE OF HEARING ON MOTION OF THE REORGANIZED DEBTORS FOR ENTRY OF AN ORDER ENFORCING THE TERMS OF THE THIRD AMENDED MODIFIED PLAN OF REORGANIZATION PURSUANT TO CHAPTER 11 OF THE BANKRUPTCY CODE FOR THE RHODES COMPANIES, LLC, ET AL. AND THE RELATED CONFIRMATION ORDER

¹ The Reorganized Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, if applicable, are: Heritage Land Company, LLC (2918); The Rhodes Companies, LLC (3060); Rhodes Ranch General Partnership (1760); Tick, LP (0707); Glynda, LP (5569); Chalkline, LP (0281); Batcave, LP (6837); Jackknife, LP (6189); Wallboard, LP (1467); Overflow, LP (9349); Rhodes Ranch Golf and Country Club (9730); Tuscany Acquisitions, LLC (0206); Tuscany Acquisitions II, LLC (8693); Tuscany Acquisitions III, LLC (9777); Tuscany Acquisitions IV, LLC (0509); Parcel 20 LLC (5534); Rhodes Design and Development Corp. (1963); C&J Holdings, Inc. (1315); Rhodes Realty, Inc. (0716); Jarupa LLC (4090); Elkhorn Investments, Inc. (6673); Rhodes Homes Arizona, LLC (7248); Rhodes Arizona Properties, LLC (8738); Tribes Holdings LLC (4347); Six Feathers Holdings, LLC (8451); Elkhorn Partners, A Nevada Limited Partnership (9654); Bravo Inc. (2642); Gung-Ho Concrete, LLC (6966); Geronimo Plumbing, LLC (6897); Apache Framing, LLC (6352); Tuscany Golf Country Club, LLC (7132); Pinnacle Grading, LLC (4838).

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1 **NOTICE IS HEREBY GIVEN** that a MOTION OF THE REORGANIZED DEBTORS
 2 FOR ENTRY OF AN ORDER ENFORCING THE TERMS OF THE THIRD AMENDED
 3 MODIFIED PLAN OF REORGANIZATION PURSUANT TO CHAPTER 11 OF THE
 4 BANKRUPTCY CODE FOR THE RHODES COMPANIES, LLC, ET AL. AND THE RELATED
 5 CONFIRMATION ORDER was filed concurrently herewith by Kolesar & Leatham and Akin
 6 Gump Strauss Hauer & Feld LLP, counsel for the Reorganized Debtors. The Motion seeks the
 7 following relief: entry of an order, pursuant to Section 105(a) of Title 11 of the United States
 8 Code (the “Bankruptcy Code”), (i) enforcing the terms of the Third Amended Modified Plan of
 9 Reorganization Pursuant to Chapter 11 of the Bankruptcy Code for the Rhodes Companies, LLC,
 10 et al. (the “Plan”) and the related Findings of Fact, Conclusions of Law, and Order Confirming the
 11 First Lien Steering Committee’s Third Amended Modified Plan of Reorganization Pursuant to
 12 Chapter 11 of the Bankruptcy Code for the Rhodes Companies, LLC et al. (the “Confirmation
 13 Order”) and (ii) clarifying that Commerce Associates, LLC (“Commerce”) has no rights under the
 14 Tuscany Purchase Agreement and the Conditional Assignment.

15 **NOTICE IS FURTHER GIVEN** that if you do not want the court to grant the relief
 16 sought in the Motion, or if you want the court to consider your views on the Motion, then you must
 17 file an opposition with the court, and serve a copy on the person making the Motion ***no later than***
 18 ***14 days*** preceding the hearing date for the motion, unless an exception applies (see Local Rule
 19 9014(d)(3)). The opposition must state your position, set forth all relevant facts and legal
 20 authority, and be supported by affidavits or declarations that conform to Local Rule 9014(c).

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If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the court. You *must* also serve your written response on the person who sent you this notice.

If you do not file a written response with the court, or if you do not serve your written response on the person who sent you this notice, then:

- The court may *refuse to allow you to speak* at the scheduled hearing; and
- The court may *rule against you* without formally calling the matter at the hearing.

NOTICE IS FURTHER GIVEN that a hearing on the said Motion will be held before a United States Bankruptcy Judge, in the Foley Federal Building, 300 Las Vegas Boulevard, South, Third Floor, in Bankruptcy Courtroom No. 1, Las Vegas, Nevada 89101, on **January 10, 2013**, at the hour of **10:00 a.m.**

DATED this 30th day of November, 2012.

By: /s/ Abid Qureshi

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